



BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
216.664.2580

JANURAY 8, 2024
9:30AM

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on January 5, 2024. You can also email us boardofzoningappeals@clevelandohio.gov.

The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.

Those individuals not planning to attend are encouraged to view one of the live streams:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

Calendar No. 23-209:

2214 Denison Ave.

Ward 12

Rebecca Maurer

Whink LLC, proposes to establish use as a Mental Health Center/ Behavioral Health Community Facility in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.471 which defines Mental Health Center as an institution providing in-patient or out-patient care or therapy for individuals affected by mental illness, developmental disabilities, alcoholism or substance abuse and others needed psychological therapy but which does not serve as a residence for such individuals.
2. Section 337.08 which states that a Mental Health Center/Behavioral Health Community Facility is not permitted in a Multi-Family Residential District but first permitted in an Institutional Research District per Section 340.02(b).

Calendar No. 23-211:

11911 Farringdon Ave. /

Ward 12

Violation Notice V23026144

Rebecca Maurer

Shondell Stillwell, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from Notice of Violation Number V23026144 issued by the Cleveland Department of Building and Housing for failure to comply with Section 357.14 and 349.13(c)(6) of the Cleveland Codified Ordinances regarding parking motor vehicles in the front setback.

Calendar No. 23-212:**10300 Detroit Ave.****Ward 15****Jenny Spencer**

Flaherty & Collins Development LLC., proposes to construct a new 60 units apartment building on land owned by Greater Cleveland Regional Transit Authority (RTA) in a C2 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.14 which states that no parking space shall be located within ten (10) feet of any wall of a building or structure if such wall contains ground floor openings designed to provide light or ventilation for such building structure. Proposed parking spaces are located less than 10 feet from the building.
2. Section 355.04(b) which states that in a "C" Area District a floor area equal to ½ of lot area is permitted, which in this case 29,309 square feet are permitted; total floor area proposed is 58,960 square feet. *Note: CPC approval is required.

Calendar No. 23-213:**2171 East 85th St.****Ward 6****Blain Griffin**

Zachary Lewis, owner, proposes to place a shipping container shed in rear yard in a B1 Two-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that accessory uses must be at least 18 inches from property lines.
2. Section 349.04(a) which states single-family dwelling unit requires at least one accessory, off street parking space located at least 10 feet from a wall of structure. The placement of shipping container shed will eliminate only legal parking space on premises.

Calendar No. 23-216:**2268 W. 28th St.****Ward 3****Kerry McCormack**

Matthew Moss, owner, proposes to erect a 2-story frame single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the Maximum Gross Floor Area shall not be greater than 50 percent of the lot area or in this case 803 square feet and the appellant is proposing 1,342 square feet.
2. Section 355.04(b) which states that the required Minimum Lot Area is 4,800 square feet and the appellant is proposing 1,606 square feet.
3. Section 355.04(b) which states that Minimum lot width of 40 feet is required and the appellant is proposing 36.55'.
4. Section 357.08(b)(1) which states the Required Rear Yard shall not be less than height of main building 20 feet 10 inches and the appellant is proposing 3.1 feet.
5. Section 341.02(b) which states City Planning Approval is required before issuance of building permit. Traffic Engineer Approval of Apron is Required Before issuance Building Permit.

Calendar No. 23-218:

1555 East 118th St.

**Ward 9
Kevin Conwell**

1555 East 118 St. LLC, owner, proposes to erect two new, four-story multi-unit buildings (20 total units) and a 7 car parking area on a newly created 22,845 square foot lot with two existing residential houses on it in a C1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in a "C" Area District, maximum gross floor area of residential building cannot exceed one-half the lot size. On proposed lot the floor area is limited to 11,422 square feet where 35,755 square feet are proposed.
2. Section 349.04 (a) one accessory off street parking space is required per dwelling unit; in this case 20 spaces are required and 7 spaces are proposed.
3. Section 357.08(b)(2) which states that a 20-foot rear yard is required and rear yards of 5 feet and 12 feet are proposed.
4. Section 357.15(a) which states that a separation of 40 feet between buildings is required for rear residential building and 37 feet-1 inch are proposed.
5. Section 341.02 which states approval of the City Planning Commission/Department is required.

POSTPONED FROM NOVEMBER 27, 2023

Calendar No. 23-189:

18615 St. Clair Ave.

**Anthony Hairston
Ward 10**

ARC Construction, owner, proposes to establish use as an Assembly Hall (worship, meetings, gatherings) in a Local Retail District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

3. Section 343.01 which states Assembly Hall is not permitted in Local Retail District; first permitted in General Retail District 343.11 (b)(2)(L)
4. Section 347.12(1) which states Entertainment (Assembly Hall) shall be located 500 feet from Residential District and the proposed use abuts a Multi-Family District.
5. Section 347.12(2) which states Entertainment use shall be at least 500 feet from another entertainment use.
6. Section 349.04(e) which states required parking space must be equal to three times gross floor area or in this case 15 parking spaces and the appellant is proposing 5 parking spaces. *POSTPONED FROM NOVEMBER 27 AT THE REQUEST OF THE APPELLANT TO ALLOW TIME FOR THE APPELLANT TO ACQUIRE SIGNATURES FROM THE NEIGHBORS. NO TESTIMONY TAKEN.*

POSTPONED FROM NOVEMBER 27, 2023

Calendar No. 23-190:

1721 Burgess Ave.

**Ward 10
Anthony Hairston**

Ezra Richardson, owner, proposes to establish use as Residential Facility for five occupants in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections

1. Section 325.571 which states "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
2. Section 337.03(h) which states a Residential Facility, for one (1) to five (5) unrelated persons, is not permitted if located less than one thousand (1,000) feet from another residential facility. Proposed Residential Facility use is within one thousand (1,000) feet from another Residential Facility at 1663 Wayside Road. *POSTPONED AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*